

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Third day of October Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.14767 of 2019

in CRL.A.No.517 OF 2019

S.K.SUNDARAM

[PETITIONER]

Vs

STATE REPRESENTED BY
INSPECTOR OF POLICE,
SPE/CBI/ACB/CHENNAI,
RC.NO.MA1 2001 A 004,
OF SPE/CBI/ACB/CHENNAI.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the condition imposed on the petitioner to appear before the Learned II Additional District Judge (CBI Cases), Coimbatore on the first working day of every English Calendar Month at 10.30 am until further orders in Crl.MP.No.11474/2019 in Crl.A.No.517/2019 by an order dated 20/08/2019.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.K.BALASUBRAMANIAM, Advocate for the petitioner and of M/S K.SRINIVASAN, SPECIAL PUBLIC PROSECUTOR FOR CBI CASES, on behalf of the Respondent the court made the following order:-

The petitioner is A3 in C.C.No.2 of 2003. He was convicted by the trial court on 18.7.2019, against which, he had filed Crl.A.No.517 of 2019 along with Crl.M.P.No.14474 of 2019 seeking suspension of sentence, wherein, this court, by order dated 20.08.2019, had suspended the sentence of imprisonment imposed on the petitioner on one of the condition that the petitioner should appear before the trial court once in every month on every first working day of English Calendar month at 10.30 a.m. The petitioner has filed the present Crl.M.P.No.14767 of 2019 seeking to relax the condition imposed on the petitioner.

2. Learned counsel for the petitioner would submit that the petitioner has filed the relaxation petition on the ground that the petitioner had shifted his residence to Bangalore and staying there. Further he is suffering from paralysis and affected with kidney related issues and various other age related ailments . He would further submit that he has been regularly taking treatment at Ramaiah Memorial Hospital, Bangalore and also produced the discharge summary and medical certificate.

3. On perusal of disability certificate, it is seen that the petitioner is suffering from Cerebro Vascular Accident (Rt MCA stroke) with residual left sided spastic hemiparesis with onset of disability at 62 years of age. The petitioner is now aged 74 years with 50% disability.

4. Considering the fact that the petitioner is now settled in Bangalore, the condition imposed by this Court that the petitioner shall report before the trial court on every first working day of every month at 10.30 a.m., is modified to the effect that he shall appear before the XXI Additional City Civil Court, (CBI), Cauvery Buildings, Bangalore once in three months on first working day of that month at 10.30 a.m., until further orders.

-sd/-

23/10/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE II ADDITIONAL DISTRICT
JUDGE (CBI CASES), COIMBAORE.

2 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
SPE/CBI/ACB/CHENNAI,

4 XXI ADDITIONAL CITY CIVIL
COURT, (CBI), CAUVERY BUILDINGS,
BANGALORE.

C.C. to M/S.K.BALASUBRAMANIAM Advocate on payment of necessary charges Sr.21831

WEB COPY

Order
in
CRL MP.14767/2019

in CRL.A.No.517 OF 2019

Date :23/10/2019

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RVR 30/10/2019

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